



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,115	05/14/2001	Octavius J. Morris	GB 000068	8730

24737 7590 06/23/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
----------	--------------

2613

DATE MAILED: 06/23/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

fr

**Office Action Summary**

Application No.

09/855,115

Applicant(s)

MORRIS ET AL.

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 4, 6 – 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Dieterich (US 6,233,278).

Regarding claims 1 - 2, 6 Dieterich '278 discloses "a method for encoding of a Digital video image signal in an encoder apparatus having a coding stage and an encoder buffer" (i.e. figs. 1 and 6), and "encoding image fields of the signal in compliance with a predetermined coding scheme" (i.e. col. 13, lines 55+), and "reading the encoded field data into the buffer and subsequently reading the stored data out of the buffer at a bit rate determined at least partially by the fullness of the buffer, and where in each image field is encoded as a series of slices each comprised of a predetermined number of successive lines of the field with a predetermined number of data bits allocated for the encoding of a slice ....." (i.e. col. 14, lines 21 – 42).

Regarding claims 3 - 4, 8, 9 Dieterich '278 discloses the claimed "intra-coded" (i.e. col. 5, lines 52 – 53), and "quantization levels is chosen with respect to number of bits allocated" (i.e. fig. 6, rate control 630, col. 14, lines 40 – 47).

Art Unit: 2613

Regarding claim 7, the limitations claimed are substantially similar to claim 2, therefore the grounds for rejecting claim 2, also apply here.

Regarding claim 10, the claimed "decoder ....." reads on (i.e. fig. 7, 712) of Dieterich '278).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 11 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dieterich (US 6,233,278) in view of Kato et al (US 6,535,556).

Regarding claims 12 and 13, Dieterich '278 teaches "a method for encoding of a Digital video image signal in an encoder apparatus having a coding stage and an encoder buffer", which can receive the information from a camera or camcorder or any imaging devices or storage devices (i.e. figs. 1 and 6, col. 16, lines 58 – 63). Although Dieterich '278 fails to explicitly teach "removable storage device comprises an optical disk". However Kato '556 (i.e. col. 13, lines 55 – 65) teaches the use of "optical disk" as claimed. Therefore, using an "optical disk or removable optical disk as a storage device" consider an obvious variation over Dieterich '278 teaching of using various kind of storage devices and make it obvious to one skilled in the art at the time of the invention was made to use a removable HD or storage for communication purpose.

Art Unit: 2613

Regarding claim 5, combination of Dieterich '278 and Kato '556 teaches the claimed "slice comprises sixteen luminance lines" (i.e. col. 4, lines 24 – 26 of Kato).

Regarding claim 14, the limitations claimed are substantially similar to claim 13, therefore the grounds for rejecting claim 13 also applies here.

Regarding claim 11, the claimed "source of the images are a remote source" are conventional and well known in the prior art of the record (like, video conferencing, communication/internet, video on demand/VOD and etc.). Official Notice

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314**


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Art Unit: 2613

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. S.

6/21/2004

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600